

Appl No: 10/065,841
Amdt. Dated 12/21/2004
Reply to Office Action of 8/25/2004

REMARKS

In the specification, reference to the filing date of the parent application has been corrected from July 1, 2001 to July 10, 2001, as noted by the PTO in the filing receipt.

In addition, as requested by the examiner, a new Fig. 22 has been provided showing deflection of the beams as heretofore described in the specification. No new matter is added by this additional drawing. A description of the drawing has been added after paragraph 27.

Applicant acknowledges with appreciation the examiner's indication of allowable subject matter. The claims have been amended to address the examiner's objections as to form and the claims are now believed to be in condition for allowance.

Claim 1 has been amended to recite pivoting wheels on both beams and to specify the pivoting of the wheels outward and inward to deflect the beams outward and inward respectively as the vehicle moves backward. This is clearly supported by the specification. The examiner's rejection under 35 U.S.C. § 112 should be withdrawn as to claim 1 and all dependent claims. Applicant also respectfully traverses the rejection as to claim 15 and all claims originally dependent therefrom. Since original claim 15 specified a pivoting wheel on each beam, claim 15 was clearly supported by the specification, and should not have been rejected under 35 U.S.C. § 112. However, since the limitations of claim 15 have now been incorporated into claim 1, claim 15 has been canceled as duplicative. Claim 16 has been made dependant from claim 1.

Claim 20 has been canceled and the examiner's objection to that claim is, therefore, moot. Claim 21, formerly dependant on claim 20, has been made dependant from claim 19.

Finally, the examiner objected to claims 2 and 4 as being of improper dependent form. Applicant respectfully traverses this rejection. Claim 1 does not (and did not) require that the beams "bow", as claims 2 and 4 do. Although bowing is the preferred embodiment, the specification makes clear that one of skill in the art might

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employ other ways to allow deflection. Paragraph 30 clearly states that "[a]lthough it is preferred to provide bending by the characteristics of the beam, the beams might also be hinged, for example, at their connection to the cab 18." Claims 2 and 4 further limit their parent claims by requiring that the beams bow rather than merely deflect, and are, therefore, properly structured as dependant claims. This objection to the form of claims 2 and 4 should be withdrawn.

Applicant believes that the concerns of the examiner have been fully addressed and that allowance of this case is proper. If any matters remain to be resolved, the undersigned attorney respectfully requests that the examiner call him.

21 December 2004
Date

Respectfully submitted,


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Appl. No. 10/063,841
Amdt. Dated Dec. 21, 2004
Reply to Office Action of Aug. 25, 2004
Annotated Sheet Showing Changes

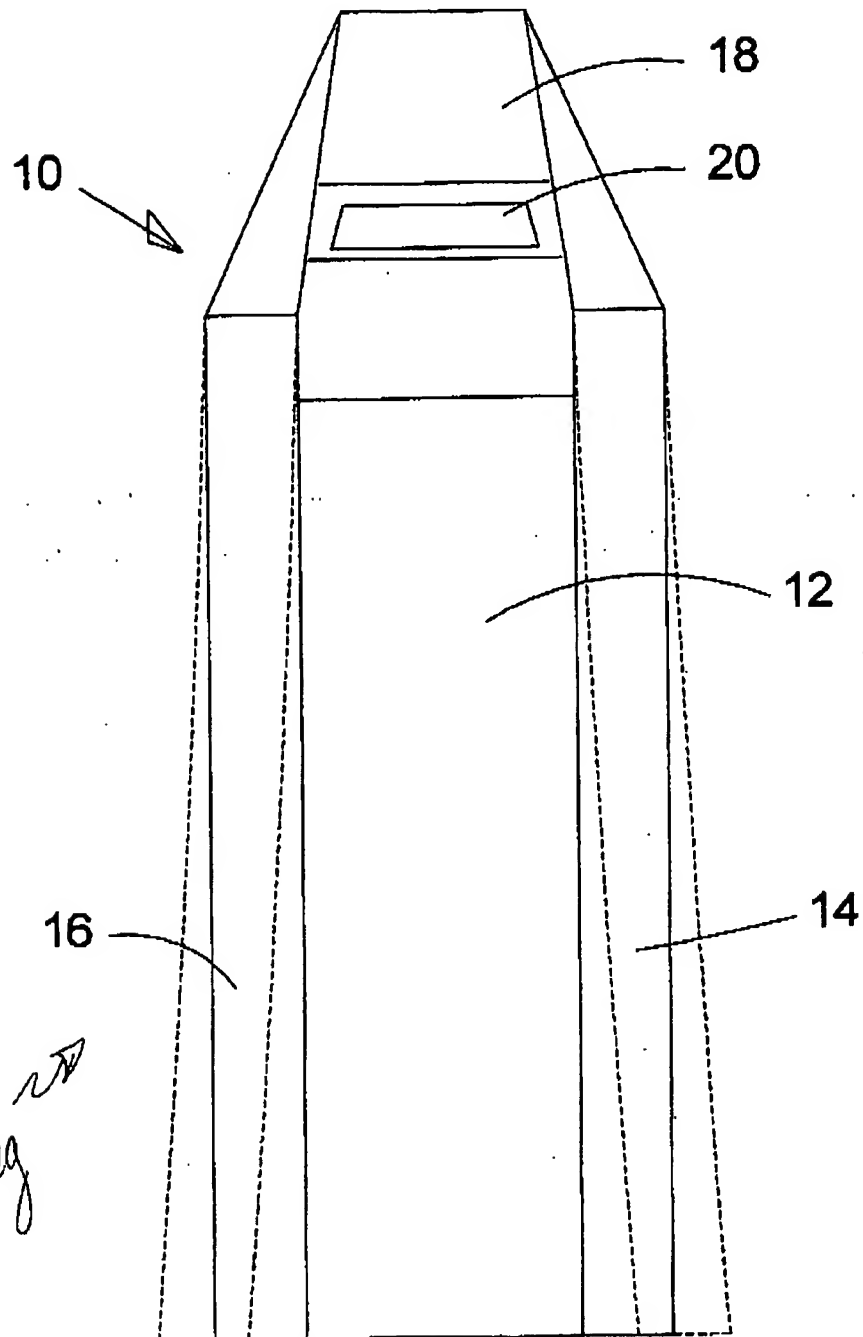


FIG. 22

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete If Known

Application Number	10/065,841
Filing Date	11/25/2002
First Named Inventor	William B. Trescott
Examiner Name	Charles A. Fox
Art Unit	3652
Attorney Docket No.	TRES-0002

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =	x	=
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HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP =	x	=
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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 =	/ 50 =	(round up to a whole number) x	=
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension of Time for One Month (Small Entity)

Fees Paid (\$)

\$60.00

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) 31716	Telephone 303-239-2362
Name (Print/Type) John R Merkling		Date 21 Dec 2004

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